

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

COMPTON UNIFIED SCHOOL
DISTRICT, CENTINELA VALLEY
UNIFIED SCHOOL DISTRICT AND THE
LOS ANGELES COUNTY OFFICE OF
EDUCATION.

OAH CASE NO. 2014060390

ORDER GRANTING MOTION TO
DISMISS

On June 17, 2014, the Los Angeles County Office of Education filed a Motion to Dismiss Student's federal claims based upon Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 701 et seq.) and the Americans with Disabilities Act (ADA) (42 U.S.C. § 12132; 28 C.F.R. § 35.130(a)). On June 18, 2014, Student filed a response, agreeing to the dismissal of these claims as set forth in Issues 10 and 11 of the due process hearing request.

APPLICABLE LAW

The Office of Administrative Hearings does not have jurisdiction to entertain claims based on Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 701 et seq.) and the ADA (42 U.S.C. § 12132). The jurisdiction of the Office of Administrative Hearings is limited to claims under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1400 et. seq.). (Ed. Code. § 56501, subd.(a).) As such, Los Angeles County Office of Education's unopposed motion is granted.

ORDER

Los Angeles County Office of Education's Motion to Dismiss federal claims which

do not fall within OAH's jurisdiction is granted. The Motion to Dismiss is granted as to Issues 10 and 11. The matter shall proceed as scheduled as to the remaining issues.]

IT IS SO ORDERED.

DATE: June 19, 2014

/s/

EILEEN COHN
Administrative Law Judge
Office of Administrative Hearings